

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CESAR MEDINA-JUAREZ,

Defendant.

2:24-CR-103-JAD-DJA

Preliminary Order of Forfeiture

This Court finds Cesar Medina-Juarez pled guilty to Counts One and Three of a Three-Count Superseding Criminal Indictment charging him in Count One with deported alien found in the United States in violation of 8 U.S.C. § 1326(a) and in Count Three with prohibited person in possession of a firearm in violation of 18 U.S.C. § 922(g)(5)(A). Superseding Criminal Indictment, ECF No. 30; Change of Plea, ECF No. 51; Plea Agreement, ECF No. 52.

This Court finds Cesar Medina-Juarez agreed to the forfeiture of the property set forth in the Stipulation to Modify Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Superseding Criminal Indictment. Superseding Criminal Indictment, ECF No. 30; Bill of Particulars, ECF No. 37; Change of Plea, ECF No. 51; Stipulation to Modify Plea Agreement, ECF No. 53.

This Court finds, under Fed. R. Crim. P. 32.2(b)(1) and (b)(2), the United States of America has shown the requisite nexus between property set forth in the Stipulation to Modify Plea Agreement, the Bill of Particulars, and the Forfeiture Allegation of the Superseding Criminal Indictment and Count Three, to which Cesar Medina-Juarez pled guilty.

1 The following property is any firearm or ammunition involved in or used in any
 2 knowing violation of 18 U.S.C. § 922(g)(5)(A) and is subject to forfeiture under 18 U.S.C. §
 3 924(d)(1) with 28 U.S.C. § 2461(c):

- 4 1. a black, privately manufactured 22-caliber pistol, no serial number;
 - 5 2. a Mossberg 500, 12-gauge shotgun, serial number H858806;
 - 6 3. a black AR-15 style firearm with a silencer/suppressor, no serial number;
 - 7 4. Raven Arms .25-caliber pistol, serial number 775452; and
 - 8 5. any and all compatible ammunition
- 9 (all of which constitutes property).

10 This Court finds that on the government's motion, the Court may at any time enter
 11 an order of forfeiture or amend an existing order of forfeiture to include subsequently
 12 located property or substitute property under Fed. R. Crim. P. 32.2(e) and 32.2(b)(2)(C).

13 This Court finds the United States of America is now entitled to, and should, reduce
 14 the aforementioned property to the possession of the United States of America.

15 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND
 16 DECREED that the United States of America should seize the aforementioned property.

17 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all possessory
 18 rights, ownership rights, and all rights, titles, and interests of Cesar Medina-Juarez in the
 19 aforementioned property are forfeited and are vested in the United States of America and
 20 shall be safely held by the United States of America until further order of the Court.

21 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States
 22 of America shall publish for at least thirty (30) consecutive days on the official internet
 23 government forfeiture website, www.forfeiture.gov, notice of this Order, which shall
 24 describe the forfeited property, state the times under the applicable statute when a petition
 25 contesting the forfeiture must be filed, and state the name and contact information for the
 26 government attorney to be served with the petition, under Fed. R. Crim. P. 32.2(b)(6).

27 Notice is served on any individual or entity on the date when it is placed in the mail,

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delivered to a commercial carrier, or sent by electronic mail under Fed. R. Crim. P. 32.2(b)(6)(D) and Supplemental Rule G(4)(b)(iii)-(v).

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any individual or entity who claims an interest in the forfeited property must file a petition for a hearing to adjudicate the validity of the petitioner's alleged interest in the property under 21 U.S.C. § 853(n)(2), which petition shall be signed by the petitioner under penalty of perjury under 21 U.S.C. § 853(n)(3) and 28 U.S.C. § 1746, and shall set forth the nature and extent of the petitioner's right, title, or interest in the property, the time and circumstances of the petitioner's acquisition of the right, title or interest in the property, any additional facts supporting the petitioner's claim, and the relief sought.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101, within thirty (30) days of the final publication of notice on the official internet government forfeiture site, www.forfeiture.gov, or his receipt of written notice, whichever is earlier.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any, shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the following address at the time of filing:

Daniel D. Hollingsworth
Assistant United States Attorney
Misty L. Dante
Assistant United States Attorney
501 Las Vegas Boulevard South, Suite 1100
Las Vegas, Nevada 89101.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency following publication of notice of seizure and intent to administratively forfeit the above-described property.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send
2 copies of this Order to all counsel of record.

3 DATED April 16, 2025.

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6 JENNIFER A. DORSEY
7 UNITED STATES DISTRICT JUDGE
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